

CONTRACTORS LICENSING BOARD MINUTES FOR JANUARY 31, 2001

Meeting convened at 8:10 am
Meeting adjourned at 10:10am

Present Mike Gibbons, Tim Homer, Tom Mabey, Lori Christian-Chavez and Rick Jenson

Staff Craig Cottle, Karen Elkins-Bey, Gary Bowen, Bill Loos Assistant Attorney General and Klare Bachman.

TOPICS

DISCUSSION/DECISIONS

Business Travel voucher signed. Motion made by Mike Gibbons, 2nd by Tom Mabey and unanimously approved by all Board members present to approve the minutes. Craig introduced Bill Loos to board members. Bill has replaced Jeff Hunt as Attorney General for this board.

Legislative update Craig Cottle informed Board Members about House Bill 237 regarding the supervision of apprentices. House Bill 228 amending the Construction Trades Act regarding infractions versus a Class A misdemeanors. The listing of bills are as follows:

H.B. 37 -- Reauthorization of Administrative Rules
H.B. 228 – Utah Construction Trades Licensing Act Amendments
H.B. 325 – Owner Builder Selling Home
S.B. 167 – Penalty for Wrongful Mechanics' Lien
S.B. 219 – Construction Contracts – Prompt Payment Act
S.B. 252 – Amendments to Construction Contracts

Gary Bowen told Board Members of his observations of the 2001 legislative session and also mentioned the Resident Lien Recovery Fund status. Mr. Bowen told Board Members that the public has discovered the lien recovery fund and that contractors may be reassessed in the near future to prevent the fund from depletion.

APPOINTMENT

David K Service

DECISION/RECOMMENDATION

Mr. Harding applied for licensure as a demolition contractor to the Division. He was conditionally denied for inability to document legal on-the-job work experience. Representative Gordon Snow and his intern were present to assist Mr. Harding in presenting his case to the Board on why he should be granted licensure. With the Town of Myton being very small, there is an absence of contractors to work under to obtain experience, so Mr. Harding worked on his own gaining experience without supervisory instruction. Gary Bowen, Klare Bachman and Representative Snow read the Construction Trades License Act and Rules trying to define what is legal experience is and how one could document it. Mr. Harding told board members about his work background and experience.

Mr. Harding's major occupation is tree trimmer, which is an unlicensed occupation, but he would like to do demolition in the off season for tree trimming. Representative Snow told the board there is no law or rule that states one must provide a W2 to prove experience. Gary Bowen and Klare Bachman opened the floor for the board members to ask Mr. Harding questions. Lori Christian-Chavez, board chairperson, asked him what his largest job was, he stated a small building in the town of Myton. Tom Mabey asked him how he determines the demolition of the building. He stated he pushes the structure in the way he wants it to fall.

Department staff and board members asked lots of questions of Mr. Harding, then Gary Bowen gave him an outline of how the process will go in determining if the conditional denial will be upheld or overturned. Representative Snow, his intern and Mr. Harding were excused to attend other obligations. Board Members expressed their opinions regarding this situation. After much discussion around the table, motion made by Tom Mabey, 2nd by Rick Jenson and unanimously agreed to approve a license to this individual.

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All business concluded, meeting adjourned.